

Exhibit 5

Colin Kirkpatrick Affidavit

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA)
)
v.))
EDWIN ANYAOKU,))
)
a/k/a "Mark,"))
)
Defendant.))
)
Criminal No.: 1:18CR270-LO

DECLARATION OF COLIN KIRKPATRICK

I, COLIN KIRKPATRICK, declare as follows:

1. From 1987 until 2005, I was employed by the South African Police Service as a Police Official and Field Trainer. During my 19 years of employment, I gained experience in a variety of areas, including but not limited to, Human Rights and Policing, Victim Empowerment, Business Intelligence Systems, Community Policing, Operational Planning and Monitoring, and as Community Service Centre Commander.
2. I received my formal career training from the South African Police Service College in 1987. From 1995 to 2000, I attended Technicon SA, a private institution for further professional education and training. From Technicon, I received certificates in advanced investigation of crime, criminal law, policing, and police administration and management. Over the course of my professional career, I have attended many South African Police Service trainings and received numerous certifications.
3. From 2007 to present, I have been employed as an Investigator by JJ Private Investigations Randburg, a certified private investigations company. I have over 30 years of police and



Colin Kirkpatrick
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investigation experience, which has included a range of intensive trainings, certifications, and education.

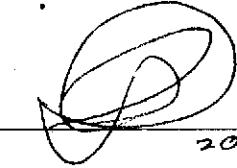
4. I was retained by defense counsel in the case of *United States v. Edwin Anyaoku* in October 2019 to consult on the South African criminal justice system, the South African prison system and to provide investigative support in South Africa.
5. Throughout my years of police and investigation work, I have become very familiar with the conditions inside Johannesburg Correctional Centre, also known as “Sun City.” I understand Mr. Anyaoku was incarcerated for almost a year at Sun City, beginning on June 19, 2018.
6. Sun City is a maximum security prison that houses over 2,500 inmates. Sun City is unique in that the inmate population includes both pre-trial and sentenced inmates, who are housed together.
7. Sun City prison is the second most dangerous prison in South Africa. The conditions are harsh, unhealthy, and completely unsanitary. The prison is overrun by gangs and corrupt guards. Buckets are used for toilets. Cells that are meant for 20 people, house 100 people; inmates do not always have their own beds.
8. In addition to overcrowding and other horrific conditions, pre-trial inmates have no access to food unless they can pay with currency. If they can pay, they receive a food concoction that is referred to as “slush.” As a result, inmates often obtain food from outside sources.



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9. In conclusion, my 30 years of police and investigation work in the Johannesburg area has exposed me to the conditions of Sun City prison. As such, I am offering the information I have learned and witnessed about the inmate conditions while incarcerated at Sun City prison.

I declare under penalty of perjury, on January 29, 2020, that the forgoing is true and correct.



2020/01/29
Colin Kirkpatrick